

THURSDAY, MARCH 27, 1997

TWENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Father Joseph Breen, St. Edwards Catholic Church, Nashville, Tennessee.

Representative Arriola led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present98

Representatives present and not voting were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Bittle; personal reasons

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Joint Resolution No. 22: Rep(s). Goins and Pinion as prime sponsor(s).

House Joint Resolution No. 142: Rep(s). Ridgeway and Jackson as prime sponsor(s).

House Bill No. 4: Rep(s). Whitson as prime sponsor(s).

House Bill No. 413: Rep(s). U. Jones, J. DeBerry, Chumney, Kernell and Langster as prime sponsor(s).

House Bill No. 720: Rep(s). Miller as prime sponsor(s).

House Bill No. 953: Rep(s). Fraley and Curtiss as prime sponsor(s).

House Bill No. 1566: Rep(s). Miller as prime sponsor(s).

REQUEST TO BE ADDED AS SPONSOR

The following member(s) requested to add their name(s) as sponsor(s) as indicated below, the prime sponsor having agreed to such addition. Sponsorship was not granted since the request was made after the passage/adoption of said bill/resolution.

House Joint Resolution No. 112: Rep(s). Cross

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 146; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 146 -- Memorials, Public Service - Leigh Ann Apple. by *Crutchfield, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Eisea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 147; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 147 -- Memorials, Professional Achievement - Robert M. Conley, National Teachers Wall of Fame. by *Leatherwood.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 143; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 143 -- Memorials, Recognition and Thanks - The Chattanooga Bar Association, 100th anniversary. by *Fowler, *Crutchfield, *Kyle.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 138; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 138 -- Memorials, Professional Achievement - Roger Crouch. by *Burks.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 130 and 131; both adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 130 -- Naming and Designating - "Lifelong Learning Week," third week in May. by *Crowe.

Senate Joint Resolution No. 131 -- Memorials, Public Service - Pastor Edward Jefferies. by *Crowe.

INTRODUCTION OF RESOLUTIONS

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

***House Resolution No. 47** -- General Assembly, Review Or Ratification of Rules - Ratifies amendments to Rules of Civil Procedure. by *Buck.

Judiciary Committee

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for March 31, 1997:

Senate Joint Resolution No. 123 -- Memorials, Death - Walter Warren Shanks. by *Burks.

Senate Joint Resolution No. 125 -- Memorials, Death - Jewell Futrell. by *Rochelle.

Senate Joint Resolution No. 127 -- Memorials, Sports - 1996-1997 Hickman County High School girls' basketball team, TSSAA Class AA state champions. by *Springer.

Senate Joint Resolution No. 128 -- Memorials, Sports - Becky Myatt, Hickman County High School, TSSAA Class AA "Miss Basketball.". by *Springer.

Senate Joint Resolution No. 131 -- Memorials, Public Service - Pastor Edward Jefferies. by *Crowe.

Senate Joint Resolution No. 138 -- Memorials, Professional Achievement - Roger Crouch. by *Burks.

Senate Joint Resolution No. 143 -- Memorials, Recognition and Thanks - The Chattanooga Bar Association, 100th anniversary. by *Fowler, *Crutchfield, *Kyle.

Senate Joint Resolution No. 146 -- Memorials, Public Service - Leigh Ann Apple. by *Crutchfield, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Eisea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 147 -- Memorials, Professional Achievement - Robert M. Conley, National Teachers Wall of Fame. by *Leatherwood.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1960 -- Jonesborough - Subject to local approval, revises charter. Amends Chapter 135, Acts of 1903, as amended. by *Patton.

House Bill No. 1962 -- Jonesborough - Subject to local approval, removes requirement that board of mayor and aldermen exercise powers only by ordinance. Amends Chapter 135 of the Acts of 1903; as amended. by *Patton.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 407** -- Economic and Community Development - Prohibits fraudulent conduct and actions knowingly undertaken for purpose of qualifying for certain programs intended to promote and encourage minority-owned, disadvantaged and small businesses. Amends TCA Section 39-14-137. by *Dixon, *Harper. (HB 720)

Senate Bill No. 534 -- Municipal Government - Permits cities of less than 5,000 population to increase number of aldermen to maximum of four without increasing number of wards. Amends TCA Section 6-3-101. by *Haun. (*HB 469)

Senate Bill No. 1654 -- Agriculture - Requires all tobacco seed sold in state be certified solely by official seed certifying agency; abolishes licensing requirement for retail sellers of agricultural seed selling in packages of one pound or less. Amends TCA Title 43, Chapter 10, Part 1. by *Williams, *Koella, *Elsea, *McNally, *Atchley, *Gilbert, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler. (*HB1237)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 1958 -- Cheatham County -- Local Bill Held on the House Desk

House Bill No. 1959 -- Manchester -- Local Bill Held on the House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **March 27, 1997**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **April 2, 1997**: House Bill(s) No(s). 204,1237,340,1281,583,759,895,1301 and House Joint Resolution(s) No(s).32.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **March 31, 1997**: House Bill(s) No(s). 345, 1848 and 641.

CONSENT CALENDAR

House Joint Resolution No. 139 -- Memorials, Sports - Bolton High School junior varsity cheerleaders, Universal Cheerleaders Association national champions. by *Pleasant, *Haley, *Hargett.

House Joint Resolution No. 140 -- Memorials, Recognition and Thanks - Stoney Creek Baptist Church, 175th anniversary. by *Cole (Carter).

House Joint Resolution No. 141 -- Memorials, Heroism - Jack Chandler, Dickson County. by *Jackson.

House Joint Resolution No. 142 -- Memorials, Professional Achievement - Jerry Thompson, "The Tennessean.". by *Jackson.

House Joint Resolution No. 143 -- Memorials, Sports - Marcello Dinsmore, Tennessee High School, Parade Magazine All-American soccer player. by *Godsey.

House Joint Resolution No. 144 -- Memorials, Sports - 1996-1997 Union City High School boys' basketball team, TSSAA Class AA state champions. by *Pinion.

Senate Joint Resolution No. 110 -- Memorials, Personal Occasion - Mr. and Mrs. Fred Lowery, 50th wedding anniversary. by *Herron.

Senate Joint Resolution No. 111 -- Memorials, Public Service - Bill Butt. by *Cooper.

Senate Joint Resolution No. 113 -- Memorials, Sports - 1996 Upperman High School football team. by *Burks.

Senate Joint Resolution No. 114 -- Memorials, Personal Achievement - Tara Eubanks, karate champion. by *Burks.

Senate Joint Resolution No. 115 -- Memorials, Professional Achievement - Luke Medley, Pride of Putnam Award. by *Burks.

Senate Joint Resolution No. 116 -- Memorials, Professional Achievement - Elmer Woodford, fifty years in automobile dealership business. by *Burks.

Senate Joint Resolution No. 117 -- Memorials, Death - Harold Willis. by *Burks.

Senate Joint Resolution No. 118 -- Memorials, Death - Miss "Dollie" Williams. by *Burks.

Senate Joint Resolution No. 119 -- Memorials, Death - Dr. Bill Francis. by *Burks.

Senate Joint Resolution No. 120 -- Memorials, Retirement - Clayton Glenn. by *Burks.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Joint Resolution No. 142: by Rep. Jackson.

Under the rules, House Joint Resolution(s) No(s): 142 was/were placed at the foot of the calendar for March 31, 1997.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

REGULAR CALENDAR

***House Bill No. 276 --** Hospitals and Health Care Facilities - Requires board for licensing health care facilities to assess in writing fiscal impact of changes in nursing home standards. Comptroller shall deem such costs to be reasonable for rate setting purposes. Amends TCA Section 68-11-209. by *Rhinehart. (SB270 by *Rochelle)

Rep. Rhinehart moved that House Bill No. 276 be passed on third and final consideration.

Rep. Armstrong moved adoption of Health and Human Resources Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 276 by deleting SECTION 1 and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-11-209, is amended by redesignating the existing subsection (c) as subdivision (c)(1) and by adding the following new subdivision:

(c)(2) In consultation with the Tennessee Health Care Association the board shall assess in writing the fiscal impact on licensed nursing homes relating to the adoption, repeal or amendment of any rule or minimum standard as to equipment or operating procedure. The cost necessary to bring a facility into compliance with such a directive by the board shall be deemed by the comptroller of the treasury to be an allowable cost in accordance with Medicare reimbursement principles.

Such costs, however, shall be subject to all reimbursement limits and procedures specified in statute and state regulations for the reimbursement of nursing home services.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **House Bill No. 276**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 4 -- Pensions and Retirement Benefits - Redefines "period of armed conflict" for Vietnam Era from 8/5/64 - 5/7/75 to 2/28/61 - 5/7/75 for purposes of establishing retirement credit for armed conflict military service. Amends TCA Section 8-34-605(b)(2). by *Rhinehart, *Fowlkes. (*SB4 by *Cooper)

Rep. Rhinehart moved that **House Bill No. 4** be passed on third and final consideration, which motion prevailed by the following vote:

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Ayes95
Noes0
Present and not voting1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 95.

Representatives present and not voting were: Mr. Speaker Naifeh -- 1.

A motion to reconsider was tabled.

***House Bill No. 688** -- Pensions and Retirement Benefits - Lowers service retirement age for state judges (Group 3); eliminates Group 4 early service retirement. Amends TCA Title 8, Chapter 25; Title 8, Chapters 34; 35 and 36. by *Rhinehart, *Hargrove. (SB1260 by *Atchley)

On motion, House Bill No. 688 was made to conform with **Senate Bill No. 1260**; the Senate Bill was substituted for the House Bill.

Rep. Rhinehart moved that Senate Bill No. 1260, be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Council on Pensions and Insurance Amendment No. 1.

Rep. Rhinehart moved that **Senate Bill No. 1260** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell,

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 953 -- Local Government, General - Establishes funding mechanism for TACIR to perform statewide infrastructure inventory. Amends TCA Title 67, Chapter 9. by *Rhinehart. (*SB822 by *Rochelle)

Rep. Rhinehart moved that **House Bill No. 953** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 339** -- Purchasing - Authorizes local governments to purchase items locally without competitive bids if item available locally at same or lower cost than state contract Amends TCA Title 12, Chapter 3, Part 10. by *Rhinehart, *Bone. (SB303 by *Rochelle)

Further consideration of House Bill No. 339, previously considered on March 13, 1997, and reset to today's Calendar.

Rep. Rhinehart moved that House Bill No. 339 be passed on third and final consideration.

Rep. Jones U. (Shelby) moved adoption of State and Local Government Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 339 by adding the following language at the end of the amendatory language of Section 1:

This subsection shall apply only in cases where the local governmental entity is not permitted to purchase from an existing contract established by the department.

On motion, Amendment No. 1 was adopted.

Rep. Bowers moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 339 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in counties having a population in excess of eight hundred thousand (800,000), according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 2 was adopted.

Rep. Jones (Shelby) moved that Amendment No. 3 be withdrawn, which motion prevailed.

Rep. S. Jones moved adoption of Amendment No. 4 as follows:

Amendment No. 4

AMEND House Bill No. 339 by adding the following new section immediately preceding the last section and by renumbering the subsequent accordingly:

Section _____. The provisions of this act shall not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (100,000), according to the 1990 federal census or any subsequent federal census.

On motion, Amendment No. 4 was adopted.

Rep. Rhinehart requested that House Bill No. 339 be moved down 5 places on the Calendar.

House Bill No. 1000 -- Municipal Government - Makes new municipal incorporation effective July 1 for purpose of distributing site based state shared taxes; revises timing of elections to incorporate new municipalities. Amends TCA Title 6, Chapter 1, Part 2; Title 6, Chapter 18, Part 1 and Title 6, Chapter 30, Part 1. by *Rinks, *Walley. (*SB1191 by *Ramsey, *Wilder)

Further consideration of House Bill No. 1000, previously considered on March 20, 1997, and reset to today's Calendar.

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Rep. Rinks moved that House Bill No(s). 1000 be reset for the Regular Calendar on Thursday, April 3, 1997, which motion prevailed.

House Bill No. 1578 -- Business and Commerce - Exempts private entities contracting with governmental entities for the care, supervision and/or transportation of inmates from the Private Protective Services Licensing and Regulatory Act. by *Rinks. (*SB1205 by *Kyle)

Rep. Rinks moved that **House Bill No. 1578** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 542** -- Veterinarians - Authorizes board of veterinary medical examiners to establish certification process for animal control agencies and animal euthanasia technicians to permit certified agencies to apply to DEA for licenses to allow direct purchase of veterinary euthanasia drugs. Amends TCA Section 44-17-303 and Title 63, Chapter 12. by *Eckles. (SB829 by *Cooper)

Rep. Eckles moved that House Bill No(s). 542 be reset for the Regular Calendar on Wednesday, April 9, 1997, which motion prevailed.

House Bill No. 1302 -- Criminal Offenses - Expands scope of criminal offense of theft of utility services to include sanitary sewer services. Amends TCA Section 65-35-101, Section 65-35-102 and Section 65-35-103. by *Mumpower, *Westmoreland, *Whitson, *Godsey, *Hicks, *McDaniel. (*SB633 by *Person)

Rep. Mumpower moved that House Bill No. 1302 be passed on third and final consideration.

Rep. Newton moved the previous question, which motion failed.

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Rep. Burchett moved the previous question, which motion failed.

Rep. Mumpower moved that House Bill No(s). 1302 be reset for the Regular Calendar on Wednesday, April 2, 1997, which motion prevailed.

***House Bill No. 1241 -- Agriculture - Abolishes position of director of entomology and plant pathology.** Amends TCA Title 43, Chapter 6, Part 1. by *Kerr, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Boyer, *Ford S, *Wood, *Patton, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Sargent, *Newton, *Scroggs, *Godsey, *Walker, *McAfee, *Mumpower, *Roach. (SB1656 by *Williams, *Elsea, *McNally, *Atchley, *Person, *Gilbert, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler)

Rep. Kerr moved that House Bill No. 1241 be passed on third and final consideration.

Rep. Kerr requested that House Bill No. 1241 be moved to the heel of the Calendar.

***House Bill No. 339 -- Purchasing - Authorizes local governments to purchase items locally without competitive bids if item available locally at same or lower cost than state contract** Amends TCA Title 12, Chapter 3, Part 10. by *Rhinehart, *Bone. (SB303 by *Rochelle)

Further consideration of House Bill No. 339, previously considered on today's Calendar, at which time Amendment(s) No(s). 1, 2 and 4 were adopted and Amendment No. 3 was withdrawn.

Rep. Rhinehart moved that House Bill No. 339, as amended, be passed on third and final consideration.

Rep. Buck moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 339 by adding at the end of the amendatory language in Section 1 the following:

Any item purchased locally must be of equal or better specifications than the item under the competitive bid contract.

On motion, Amendment No. 5 was adopted.

Rep. Rhinehart moved that House Bill No(s). 339 be reset for the Regular Calendar on Wednesday, April 16, 1997, which motion prevailed.

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

House Bill No. 1186 -- Highway Signs - Gives preference for placement on sign assembly to business with greatest eligibility distance when two or more valid competing applications for participation in TODS program. Amends TCA Title 54, Chapter 5, Part 13. by *Kerr, *Walker. (*SB951 by *Miller J, *Koella)

Rep. Kerr moved that House Bill No(s). 1186 be reset for the Regular Calendar on Monday, March 31, 1997, which motion prevailed.

***House Joint Resolution No. 22** -- Constitutional Amendments - Completes constitutional amendment process by proposing to 100th General Assembly same amendment to Article I, Section 32, requiring safe prisons rather than safe and comfortable prisons that was passed during 99th General Assembly. by *Buck, *McMillan.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

Rep. Buck requested that the Clerk read House Joint Resolution No. 22 for the first Constitutional reading, according to the Tennessee Constitution.

The Clerk read House Joint Resolution No. 22.

Rep. Buck moved that House Joint Resolution No. 22 be reset to the Regular Calendar for Monday, March 31, 1997, for second reading, which motion prevailed.

House Bill No. 1689 -- Firearms and Ammunition - Requires court to inform defendant prior to entering guilty plea for misdemeanor offense of domestic violence that consequence of such conviction is that defendant will never again be able to lawfully purchase or possess firearm. Amends TCA Title 40, Chapter 14. by *Buck. (*SB1757 by *Ramsey)

Rep. Buck moved that House Bill No. 1689 be passed on third and final consideration.

Rep. Jackson moved the previous question, which motion prevailed.

Rep. Buck moved that **House Bill No. 1689** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	61
Noes	23
Present and not voting	7

Representatives voting aye were: Beavers, Bird, Bone, Boner, Bowers, Boyer, Buck, Burchett, Chumney, Clabough, Cole (Carter), Cross, Curtiss, Davis, Dunn, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Haley, Hargett, Hassell, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, McDaniel, Miller, Mumpower, Newton, Odom,

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Pinion, Pruitt, Ridgeway, Rinks, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Towns, Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Winningham, Wood -- 61.

Representatives voting no were: Armstrong, Arriola, Brooks, Brown, Caldwell, Cooper, DeBerry L., Ford, Givens, Halteman-Harwell, Kisber, Maddox, McKee, McMillan, Patton, Phelan, Phillips, Pleasant, Ritchie, Sands, Turner (Hamilton), West, Mr. Speaker Naifeh -- 23.

Representatives present and not voting were: Davidson, Eckles, Hargrove, Head, McDonald, Rhinehart, Williams -- 7.

A motion to reconsider was tabled.

***House Bill No. 30** -- Workers' Compensation - Requires employer to file wage statement within 30 days of filing of answer covering employee's last 52 weeks of wages in workers' compensation lawsuit Amends TCA Title 50, Chapter 6. by *Buck, *Newton, *Pinion. (SB36 by *Crutchfield)

Rep. Buck moved that House Bill No. 30 be passed on third and final consideration.

Rep. Buck moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 30 by deleting Section 1 in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-6-225(c), is amended by adding the following as a new subdivision to be appropriately designated:

() Within sixty (60) days after the filing of an answer in an action under this section, the employer shall file with the court a wage statement detailing the employee's wages for the previous fifty-two (52) weeks, unless the employer stipulates that the maximum weekly workers' compensation rate applies in the particular action.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved that **House Bill No. 30**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes95
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson,

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 1566 -- Naming and Designating - "Representative Harold Love Outstanding Community Involvement Award." Amends TCA Sections 49-7-208 and 209. by *Langster, *Naifeh, *Jones U (Shelby), *Brown, *DeBerry J, *Armstrong, *Pruitt, *Robinson, *West, *Bittle, *DeBerry L, *Ridgeway, *Boner, *Kisber, *Hargrove, *Arriola, *Garrett. (*SB1025 by *Harper)

Rep. L. DeBerry moved that House Bill No(s). 1566 be reset for the Regular Calendar on Thursday, April 3, 1997, which motion prevailed.

***House Bill No. 413** -- Insurance, Health, Accident - Enacts "Genetic Information Nondiscrimination in Health Insurance Act of 1997." by *Bowers, *DeBerry L, *Jones U (Shelby), *Miller L, *Cooper B, *Brooks, *Pruitt, *Brown, *Jones, S. (SB989 by *Ford J)

Rep. Bowers moved that House Bill No. 413 be passed on third and final consideration.

Rep. Kernell moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 413 by deleting Section 3 of the printed bill in its entirety and by substituting instead the following:

SECTION 3. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare it. For all other purposes this act shall take effect January 1, 1998, the public welfare requiring it, and shall apply to health insurance coverage offered or renewed on or after January 1, 1998.

Rep. Kernell moved to withdraw the motion to adopt Amendment No. 1, which motion prevailed.

Rep. Kernell requested that Amendment No. 1 be moved to the heel of the Amendments.

Rep. Rhinehart requested that Amendment No. 2 be moved to the heel of the Amendments.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as House Amendment No. 3 as follows:

Amendment No. 3

AMEND House Bill No. 413 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. This act shall be known and may be cited as the "Genetic Information Nondiscrimination in Health Insurance Act of 1997".

SECTION 2.

(a) An insurance provider may not deny or cancel health insurance coverage, or vary the premiums, terms, or conditions for health insurance coverage, for an individual or a family member of an individual:

(1) Solely on the basis of genetic information; or

(2) Solely on the basis that the individual or family member of an individual has requested or received genetic services.

(b)(1) An insurance provider may not request or require an individual to whom the provider provides health insurance coverage, or an individual who desires the provider to provide health insurance coverage, to disclose to the provider genetic information about the individual or family member of the individual.

(2) An insurance provider may not disclose genetic information about an individual without the prior written authorization of the individual or legal representative of the individual. Such authorization is required for each disclosure and shall include an identification of the person to whom the disclosure would be made.

(c) The commissioner may promulgate such regulations as may be necessary or appropriate to carry out this section in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

(d) For the purposes of this act unless the context requires otherwise:

(1) "Commissioner" means the commissioner of commerce and insurance.

(2) "Family member" means with respect to an individual, another individual related by blood to that individual.

(3) "Genetic information" means information derived from genetic testing to determine the presence or absence of variations or mutations, including carrier status, in an individual's genetic material or genes that are scientifically or medically believed to cause a disease, disorder or syndrome, or are associated with a statistically increased risk of developing a disease, disorder or syndrome, which is asymptomatic at the time of testing. Such testing does not include either routine physical examinations or chemical, blood or urine analysis unless conducted purposefully to obtain genetic information or questions regarding family history.

(4) "Genetic services" means health services to obtain, assess, and interpret genetic information for diagnostic and therapeutic purposes, and for genetic education and counseling.

(5) "Health insurance coverage" means a contractual arrangement for the provision of a payment for health care, including:

(A) A group health plan; and

(B) Any other health insurance arrangement, including any arrangement consisting of a hospital or medical expense incurred policy or certificate, hospital or medical service plan contract, or health maintenance organization subscriber contract.

(6) "Insurance provider" means an insurer or other entity providing health insurance coverage.

(7) "Person" includes corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals.

(e) This act does not apply to the underwriting, denial of claims or issuance of a life insurance policy, disability income policy, long-term care policy, accident only policy, hospital indemnity or fixed indemnity policy, dental policy or vision policy or any other actions of an insurer directly related to a life insurance policy, disability income policy, long-term care policy, accident only policy, hospital indemnity or fixed indemnity policy, dental policy or vision policy.

(f) Nothing in this act shall preclude a health insurer from obtaining a routine physical examination or chemical, blood or urine analysis, or from asking questions related to the health of an applicant or the applicant's family.

(g) Nothing contained herein shall require an insurance provider to provide coverage of genetic services, unless the coverage of genetic services is already included within the scope of benefits of the provider's health insurance coverage.

SECTION 3. This act shall take effect July 1, 1997, and shall apply to health insurance coverage offered or renewed on or after July 1, 1997.

On motion, Amendment No. 3 was adopted.

Rep. Kernell moved adoption of Amendment No. 1 as follows:

AMEND House Bill No. 413 by deleting Section 3 of the printed bill in its entirety and by substituting instead the following:

SECTION 3. For the purpose of promulgating rules and regulations, this act shall take effect upon becoming a law, the public welfare it. For all other purposes this act shall take effect January 1, 1998, the public welfare requiring it, and shall apply to health insurance coverage offered or renewed on or after January 1, 1998.

On motion, Amendment No. 3 was adopted.

Rep. Rhinehart moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 413 by deleting from Section 2 the words, figures and punctuation ": (1) On the basis of genetic information; or (2) On" and by substituting instead the word "on".

On motion, Amendment No. 2 was adopted.

Rep. Bowers moved that **House Bill No. 413**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes96
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1142 -- Insurance Companies, Agents, Brokers - Allows attorney, agent, or other employed by reciprocal insurance subscriber to serve on board of directors despite receiving payment for services rendered. Amends TCA Title 56, Chapter 16, Part 2. by *Fowlkes. (*SB519 by *Rochelle)

Rep. Fowlkes moved that **House Bill No. 1142** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

House Bill No. 1118 -- Accountants - Revises conditions and disclosures of public accountants relative to compensation for referrals or payments to obtain clients. Amends TCA Title 62, Chapter 1. by *Fowlkes. (*SB1264 by *Atchley)

On motion, House Bill No. 1118 was made to conform with **Senate Bill No. 1264**; the Senate Bill was substituted for the House Bill.

Rep. Fowlkes moved that Senate Bill No. 1264, be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Rep. Fowlkes moved that **Senate Bill No. 1264** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes97
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 224** -- Children - Authorizes investments by trustee and fiduciary of minor's trust funds in tuition units under B.E.S.T. Act Amends TCA Title 35, Chapter 3. by *Davidson. (SB162 by *Womack)

On motion, House Bill No. 224 was made to conform with **Senate Bill No. 162**; the Senate Bill was substituted for the House Bill.

Rep. Davidson moved that Senate Bill No. 162, be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Davidson moved that **Senate Bill No. 162** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

***House Bill No. 661** -- Uniform Commercial Code - Incorporates new definitions of "holder," "money," and "unauthorized"; restates provision for explicit reservation of rights regarding performance, promise to perform, or assent to perform. Amends TCA Section 47-1-201(20); Section 47-1-201(24); Section 47-1-201(43); Section 47-1-207 and Section 47-2-511(3). by *Fitzhugh, *Rhinehart, *Curtiss, *Pinion, *Clabough. (SB936 by *Miller J)

On motion, House Bill No. 661 was made to conform with **Senate Bill No. 936**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that **Senate Bill No. 936** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

House Bill No. 919 -- Uniform Commercial Code - Revises Article 8, Investment Securities; provides for necessary transition provisions and adopts conforming amendments. Amends TCA Title 47, Chapter 8; Section 47-1-105(2); Section 47-1-206(2); Section 47-4-104(6); Section 47-5-114; and Title 47, Chapter 9. by *Fitzhugh, *Rhinehart, *Curtiss, *Pinion, *Gunnels. (*SB935 by *Miller J)

On motion, House Bill No. 919 was made to conform with **Senate Bill No. 935**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 935 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

Rep. Fitzhugh moved adoption of Amendment No. 2 as follows:

Amendment No. 2

AMEND Senate Bill No. 935 by deleting from Section 21, as amended:

- (1) the figures "48-15-101(b)";
 - (2) the word "certified"; and
 - (3) the figures "47-8-102(a)(1)",
- and by substituting instead respectively:
- (1) the figures "48-215-101(b)";
 - (2) the word "certificated"; and
 - (3) the figures "47-8-102(1)(a)".

On motion, Amendment No. 2 was adopted.

Rep. Fitzhugh moved that **Senate Bill No. 935**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

House Bill No. 201 -- Energy - Expands powers relative to natural gas properties to include electricity by authorizing incorporation as energy acquisition corporation instead of gas acquisition corporation. Amends TCA Title 7, Chapter 39. by *Kisber. (*SB106 by *Rochelle, *Atchley)

On motion, House Bill No. 201 was made to conform with **Senate Bill No. 106**; the Senate Bill was substituted for the House Bill.

Rep. Kisber moved that Senate Bill No. 106, be passed on third and final consideration.

Rep. Head moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 106 by deleting the amendatory language of the original Section 8 in its entirety and by substituting instead the following:

(b) The powers of such corporations shall be exercised for the primary purpose of acquiring natural gas, or natural gas substitutes, for the benefit of the municipally-owned gas distribution systems and gas consumers within the state of Tennessee, or acquiring electrical power for the benefit of the municipally-owned electrical power distribution systems and electricity consumers within the state of Tennessee, or both, and all sales or other dispositions of gas or other mineral products acquired by such a corporation shall be made to such gas distribution system of its associated municipality, and all sales or other dispositions of electrical power acquired by such a corporation shall be made to such electrical power distribution system of its associated municipality, but, at the discretion of the corporation, may also be made to other gas or electric distribution systems, whether privately or publicly owned, within or outside of the state of Tennessee or to such other purchasers within or outside the state of Tennessee, upon such prices, terms and conditions, as it shall deem to be in the best interest of the corporation.

AND FURTHER AMEND by adding the following new subdivision at the end of the amendatory language in the original Section 18:

(4) An energy acquisition corporation incorporated and operating under the provisions of subdivision (2) of this section may be joined by any one (1) or more municipalities, Tennessee utility districts, and Tennessee gas authorities, each of which shall be deemed to be an "associated municipality" for purposes of this chapter, and all provisions of this chapter shall, as nearly as may be practicable, be made applicable to such corporation and each such associated municipality, subject to the requirements of Sections 7-39-312(2) and 7-39-312(3) and subject to the following:

(i) each municipality, utility district, and gas authority seeking to become an "associated municipality" of such corporation must make application in writing to the board of directors of such corporation to become an "associated municipality", following approval of such application by the governing body of each such municipality or the board of directors of each such utility district or gas authority, as the case may be; and

(ii) the board of directors of such corporation must approve the application of such municipality, utility district, or gas authority to become an "associated municipality" of such corporation.

On motion, Amendment No. 1 was adopted.

Rep. Kisber moved that **Senate Bill No. 106**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes98
Noes0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1656; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 1656 -- Agriculture - Abolishes position of director of entomology and plant pathology. Amends TCA Title 43, Chapter 6, Part 1. by *Williams, *Eisea, *McNally, *Atchley, *Person, *Gilbert, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler.

REGULAR CALENDAR, CONTINUED

***House Bill No. 1241** -- Agriculture - Abolishes position of director of entomology and plant pathology. Amends TCA Title 43, Chapter 6, Part 1. by *Kerr, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Boyer, *Ford S, *Wood, *Patton, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Sargent, *Newton, *Scroggs, *Godsey, *Walker, *McAfee, *Mumpower, *Roach. (SB1656 by *Williams, *Eisea, *McNally, *Atchley, *Person, *Gilbert, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Jordan, *Miller J, *Fowler)

Further consideration of House Bill No. 1241, previously considered on today's Calendar.

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

On motion, House Bill No. 1241 was made to conform with **Senate Bill No. 1656**; the Senate Bill was substituted for the House Bill.

Rep. Kerr moved that **Senate Bill No. 1656** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood -- 97.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 316 -- Alcoholic Beverages - Permits retailer, for fee, to cash check of person over 21 on store premises. Amends TCA Section 57-3-404(e). by *Rhinehart, *Chumney, *Jones U (Shelby), *Kent, *Langster. (*SB219 by *Cohen)

Senate Amendment No. 1

AMEND House Bill No. 316 by adding the following language:

Provided, however that the fee shall not exceed \$4.00 per check.

Senate Amendment No. 4

AMEND House Bill No. 316 by deleting all the language of Senate Amendment #1 and substituting instead the following:

by adding the following language at the end of the amendatory language of Section 1:

Provided, however, no fee greater than three percent (3%) of the check shall be charged by any licensee or employee thereof. Provided, further, no postdated check may be cashed by a licensee or an employee thereof under the provisions of this section or any other law.

Senate Amendment No. 1 to Senate Amendment No. 4

AMEND House Bill No. 316 By adding to concluding sentence the following:

Provided, further, that any establishment assessing the charge above, may not require a purchase of alcohol or products relating to alcohol as a condition for cashing a check.

Rep. Rhinehart moved that the House concur in **Senate Amendment(s) No(s). 1 and 4**, as amended, to **House Bill No. 316**, which motion prevailed by the following vote:

Ayes	79
Noes	15
Present and not voting	2

Representatives voting aye were: Armstrong, Arriola, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Eckles, Ford, Fowlkes, Fraley, Garrett, Givens, Gunnels, Haley, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, McAfee, McDaniel, McKee, McMillan, Miller, Mumpower, Newton, Patton, Phelan, Phillips, Pleasant, Pruitt, Rhinehart, Roach, Robinson, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 79.

Representatives voting no were: Beavers, Dunn, Ferguson, Fitzhugh, Goins, Halteman-Harwell, Maddox, McDonald, Odom, Pinion, Ridgeway, Rinks, Ritchie, West, White -- 15.

Representatives present and not voting were: Bird, Godsey -- 2.

A motion to reconsider was tabled.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 327: Rep(s). Maddox as prime sponsor(s).

House Bill No. 908: Rep(s). Huskey, Davis and Roach as prime sponsor(s).

House Bill No. 1063: Rep(s). Maddox as prime sponsor(s).

House Bill No. 1127: Rep(s). Pruitt as prime sponsor(s).

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

House Bill No. 1650: Rep(s). Jackson, S. Jones, Robinson, Turner (Hamilton) and Halteman Harwell as prime sponsor(s).

House Bill No. 1901: Rep(s). Maddox as prime sponsor(s).

House Bill No. 1933: Rep(s). Caldwell as prime sponsor(s).

REPORT OF CHIEF ENGROSSING CLERK

March 27, 1997

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 105, 107, 108, 109, 110, 111 and 112.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 24; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 325, 1952 and 1953; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

March 27, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 4, 276, 953 and 1578, also, House Joint Resolution(s) No(s) 139, 140, 141, 143 and 144.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1447 and 1872; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 122, 123, 124, 125, 127, 128 and 129; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 118 and 494; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

SIGNED

March 27, 1997

The Speaker signed the following: Senate Bill(s) No(s). 42, 192, 604 and 1755; also, Senate Joint Resolution(s) No(s). 106 and 108.

ENROLLED BILLS

March 27, 1997

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 43, 301, 414, 419, 680, 717, 728, 796, 1248, 1260 and 1330; House Joint Resolution(s) No(s). 114, 116, 117, 118, 119, 120 and 121.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 27, 1997

The Speaker signed the following: House Bill(s) No(s). 43, 301, 414, 419, 680, 717, 728, 796, 1248, 1260 and 1330; House Joint Resolution(s) No(s). 114, 116, 117, 118, 119, 120 and 121.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 27, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 857, 962, 1644, 1655, 1668, 1670, 1700, 1762 and 1910; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

Senate Bill No. 857 -- Pensions and Retirement Benefits - Authorizes nonteacher former employees of Tennessee Appalachia Education Cooperative to become members of TCRS. Amends TCA Title 8, Chapter 35, Part 2. by *Davis L, *McNally. (*HB528 by *Windle)

***Senate Bill No. 962** -- State Employees - Designates night watchmen for the capitol and grounds as capitol security officers for the capitol complex; defines "capitol complex" as capitol, grounds, annexes, War Memorial Building, Legislative Plaza and other buildings where legislative staff has office space; includes parking lot and garages. Amends TCA Title 4, Chapter 8. by *Ford J. (HB1475 by *Jones U (Shelby), *Brooks)

***Senate Bill No. 1644** -- Zoning - Changes effective date of Chapter 715, Public Acts of 1996 from July 1, 1995 to April 4, 1996, and may affect zoning amendments passed by resolution from July 1, 1995 to April 4, 1996, in counties with charter form of government. Amends TCA Title 5, Chapter 1, Part 2 and Section 13-7-105. by *Ford J. (HB1586 by *Turner (Shelby), *Miller L, *Bowers)

Senate Bill No. 1655 -- Weights and Measures - Enacts "Testing and Sealing -- Use of Weights and Measures." Amends TCA Title 47, Chapter 26. by *Jordan, *Elsea, *McNally, *Atchley, *Person, *Koella, *Carter, *Ramsey, *Leatherwood, *Gilbert, *Miller J, *Fowler. (*HB1249 by *Boyer, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Ford S, *Wood, *Patton, *Kerr, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Sargent, *Newton, *Scroggs, *Godsey, *Walker, *McAfee, *Mumpower, *Roach)

Senate Bill No. 1668 -- Unemployment Compensation - Effective July 6, 1997, allows person receiving unemployment compensation to earn the greater of \$30.00 or 25 percent of weekly benefit amount instead of limiting earnings to \$30.00 a week before weekly benefits reduced. Amends TCA Section 50-7-301(c)(1). by *McNally, *Elsea, *Atchley, *Person, *Gilbert, *Jordan, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Miller J, *Fowler, *Cooper, *Crutchfield, *Dixon, *Graves, *Crowe, *Burks. (*HB1247 by *Davis R, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Ford S, *Wood, *Patton, *Kerr, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Sargent, *Newton, *Scroggs, *Godsey, *Goins, *Walker, *McAfee, *Mumpower, *Roach, *Boyer)

Senate Bill No. 1670 -- Unemployment Compensation - Moves wages of \$6,240.01 through \$6,266.00 with weekly benefit amount of \$240.00 into payment schedule table for benefit years before July 5, 1998 from payment schedule table for benefit years established on or after July 5, 1998. Amends TCA Section 50-7-301(b)(1). by *Williams, *Koella, *Elsea, *McNally, *Atchley, *Person, *Haun, *Carter, *Ramsey, *Leatherwood, *Gilbert, *Jordan, *Miller J, *Fowler. (*HB1257 by *Ford S, *Davis R, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Wood, *Patton, *Kerr, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Newton, *Scroggs, *Godsey, *Goins, *Walker, *McAfee, *Mumpower, *Roach, *Boyer)

***Senate Bill No. 1700** -- Securities - Defines "covered security" and "senior security"; sets out new conditions for security sales and investment advising; mandates notice filings for covered security sales. Amends TCA Title 48, Chapter 2, Part 1. by *Atchley, *McNally, *Elsea, *Person, *Gilbert, *Leatherwood, *Jordan, *Miller J, *Ramsey, *Williams, *Carter, *Crowe, *Koella, *Fowler. (HB1808 by *McKee, *McDaniel, *Stamps, *Davis R)

THURSDAY MARCH 27, 1997 -- TWENTY-SECOND LEGISLATIVE DAY

***Senate Bill No. 1762** -- Highway Signs - "K. Thomas Hutchinson Water Treatment Plant," Sulphur Springs Road exit, I-840, Rutherford County. by *Womack. (HB1863 by *Eckles, *Hood, *Beavers)

Senate Bill No. 1910 -- Law Enforcement - Increases from 15 to 40 percent, percentage of proceeds local seizing agency receives from sale of vehicles forfeited because of operation by person whose driver license suspended DUI; decreases from 85 to 60 percent, percentage of such proceeds going to the alcohol and drug addiction treatment fund Amends TCA Title 40, Chapter 33 and Title 55. by *Burks, *Davis L. (*HB1849 by *Curtiss)

ENGROSSED BILLS

March 27, 1997

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s) 30, 413, 1142 and 1689.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

March 27, 1997

The Speaker signed the following: Senate Bill(s) No(s). 118 and 494.

CONSENT CALENDAR

March 27, 1997

The following local bills have been placed on the Consent Calendar for **March 31, 1997**: House Bill(s) No(s). 1951, 1954 and 1958.

ROLL CALL

The roll call was taken with the following results:

Present.....97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until Monday, March 31, 1997.